

No. 144

AN ACT

SB 101

Reenacting and amending the title and act of September 9, 1965 (P.L.499, No.254), entitled "An act providing for and regulating the registration and licensing of motor vehicle and mobilehome salesmen, fixing fees, creating the State Board of Motor Vehicle Salesmen, imposing powers and duties on the Department of State, the Commissioner of Professional and Occupational Affairs and the board and prescribing unlawful acts and penalties and making an appropriation," extending the provisions of the act to motor vehicle manufacturers and dealers, increasing the size of the board, establishing certain fees, providing for licensure and the imposition of penalties, and providing certain civil remedies and further providing for appropriations.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The title and sections 1 and 2, act of September 9, 1965 (P.L.499, No.254), known as the "Motor Vehicle Salesmen's License Act," are reenacted and amended to read:

AN ACT

Providing for and regulating the registration and licensing of motor vehicle and mobilehome *manufacturers, dealers and* salesmen, fixing fees, creating the State Board of Motor Vehicle Salesmen, imposing powers and duties on the Department of State, the Commissioner of Professional and Occupational Affairs and the board and prescribing unlawful acts and penalties and making an appropriation.

Section 1. Short Title.—This act shall be known and may be cited as the "Motor Vehicle *Manufacturer's, Dealer's and* Salesmen's License Act."

Section 2. Legislative Findings and Purposes.—The General Assembly of this Commonwealth finds and declares that the *distribution and* sale of new and used motor vehicles in the Commonwealth of Pennsylvania vitally affects the general economy of the Commonwealth and the public interest and the public welfare, and that in order to promote the public interest and the public welfare, and in the exercise of its police power, it is necessary to license salesmen of new and used motor vehicles, *motor vehicle manufacturers, distributors, wholesalers, dealers, salesmen, and their representatives* doing business in Pennsylvania, in order to prevent frauds, *unfairness, inequality, discrimination,* impositions and other abuses upon its citizens and [to protect and preserve the investments and properties of the citizens of this Commonwealth.] *to avoid undue control of the independent motor vehicle dealer by the motor vehicle manufacturing and distributive organizations; and to foster and keep alive vigorous and healthy competition for the benefit of the public by prohibiting unfair practices*

by which fair and honest competition is destroyed or prevented; and to protect the public against the creation or perpetuation of monopolies and practices detrimental to the public welfare; and to prevent false and misleading advertising; to prevent unfair practices by motor vehicle dealers, manufacturers, and distributing organizations; to promote the public safety and prevent deterioration of motor vehicle dealers', manufacturers' and distributing organizations' facilities for the servicing of motor vehicles and keeping same safe and properly functioning on the highways in this Commonwealth, and prevent bankrupting of motor vehicle dealers who might otherwise be caused to fail because of such unfair practices in competition, thereby resulting in unemployment, loss of tax and revenue to this Commonwealth and an inevitable train of undesirable consequences, including economic depression.

Section 2. Section 3 of the act, amended July 15, 1968 (P.L.347, No.170), and amended in part December 1, 1971 (P.L.576, No.149), is reenacted and amended to read:

Section 3. Definitions.—The following words and phrases when used in this act shall, for the purpose of this act, have the following meanings, respectively, except in those instances where the context clearly indicates a different meaning:

(1) "Board" means the State Board of Motor Vehicle *Manufacturers, Dealers and* Salesmen, which shall consist of ~~[seven]~~ *ten* persons to be appointed by the Governor *with the advice and consent of the Senate* within ninety days, which shall aid and assist in the administration of this act. *The members of the board shall be residents of Pennsylvania.* The Commissioner of Professional and Occupational Affairs shall be an ex officio member of the said board. Three members of the board shall be new car dealers, as defined in the act of April 29, 1959 (P.L.58, No.32), known as "The Vehicle Code," who have been registered in the "Dealer's Class" under section 409 of "The Vehicle Code" for a period of at least five years immediately preceding their appointment. Two members of the board shall be used car dealers, as defined in "The Vehicle Code" who have been registered in the "Dealer's Class" under section 409 of "The Vehicle Code" for a period of at least five years immediately preceding their appointment. One member shall be a mobilehome dealer who has been registered in the "Dealer's Class" under section 409 of "The Vehicle Code" for a period of at least five years preceding his appointment. The mobilehome dealer member provided for herein shall be appointed for a term of three years. One member shall be a motor vehicle salesman, as defined hereinafter, who for a period of at least five years immediately preceding his appointment has been actively engaged in the sale of new or used motor vehicles and who is not at the time of his appointment a new car dealer or used car dealer or an officer of a corporation registered in the "Dealer's Class" or a member of a partnership registered in the

“Dealer’s Class.” They shall be appointed for terms of three years [one of whom]. *Three members shall be members of the general public having no connection with the motor vehicle business. The three public members of the board shall be appointed for terms of three years. Of the public members initially appointed, one shall be appointed for a term of one year, one for a term of two years and one for a term of three years. One member of the board shall be elected chairman and one of whom shall be elected secretary. Of the members initially appointed, two shall be appointed for terms of one year, two for terms of two years and two for terms of three years, and shall hold office until their successors are appointed and qualified. In the event that any member shall die, resign or be removed from office during his term of office, his successor shall be appointed and hold office for the unexpired term. The members shall receive thirty dollars (\$30) per diem for each day actually engaged in attendance at meetings of the board. The members shall also receive the amount of actual traveling, hotel and other necessary expenses incurred in the performance of their duties under this act.*

(2) “Department” means the Department of State acting by and through the Commissioner of Professional and Occupational Affairs.

(3) “Dealer” means any person defined as a new car dealer, [new mobilehome dealer,] or used car dealer [or used mobilehome dealer] in “The Vehicle Code.” For the purposes of this act, “dealer” shall also include any person who buys, sells or exchanges house trailers or recreational vehicles at retail, whether or not such activity is a principal or substantial portion of his business.

(3.1) “Mobilehome dealer” means any person defined as a new mobilehome dealer or used mobilehome dealer in “The Vehicle Code” and who is qualified to be registered in the “Dealer’s Class” under section 409 of “The Vehicle Code.”

(4) “Motor vehicle salesman” means any person who, for a commission, compensation or other valuable consideration, is employed as a salesman by a dealer to sell at retail motor vehicles, mobilehomes, house trailers or recreational vehicles. Any motor vehicle salesman licensed hereunder shall be licensed to sell only for one dealer at a time and his license shall indicate the name of the dealer. Included in the definition of “motor vehicle salesman” shall be the principal, an officer, or partner of a dealer if he personally is actively engaged in the retail sale of motor vehicles, mobilehomes, house trailers or recreational vehicles.

(5) “Retail sale” or “sale at retail” means the act or attempted act of selling, bartering, exchanging or otherwise disposing of a motor vehicle, mobilehome, house trailer or recreational vehicle to an ultimate purchaser for use as a consumer.

(6) “Engaging in the occupation of motor vehicle salesman” means the retail sale during a twelve-month period of a total of five or more motor vehicles, mobilehomes, house trailers and/or recreational vehicles.

(7) "Recreational vehicle" means a vehicular unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle but shall not include a camping trailer. The basic entities are: travel trailer, truck camper and motor home.

(8) "Camping trailer (tent trailer)" means a vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalls which fold for towing by another vehicle and unfold at the camp site to provide temporary living quarters for recreational, camping, or travel use.

(9) "*Manufacturer*" means any person, resident or nonresident who manufactures or assembles motor vehicles or who manufactures or installs on previously assembled truck chassis, special bodies or equipment which when installed form an integral part of the motor vehicle and which constitutes a major manufacturing alteration.

(10) "*Distributor*" or "*wholesaler*" means a person, resident or nonresident who in whole or part, sells or distributes motor vehicles to motor vehicle dealers, or who maintains distributor representatives.

(11) "*Factory branch*" means a branch office maintained by a person who manufactures or assembles motor vehicles, for the sale of motor vehicles to distributors, or for the sale of motor vehicles to motor vehicle dealers or for directing or supervising in whole or part, its representatives.

(12) "*Distributor branch*" means a branch office similarly maintained by a distributor or wholesaler for the same purposes.

(13) "*Factory representative*" means a representative employed by a person who manufactures or assembles motor vehicles or by a factory branch, for the purpose of making or promoting the sale of its motor vehicles, or for supervising or contacting its dealers or prospective dealers.

(14) "*Distributor representative*" means a representative similarly employed by a distributor, distributor branch or wholesaler.

(15) "*Person*" means a person, firm, corporation or association.

(16) "*Agreement*" means a contract or franchise or any other terminology used to describe the contractual relationship between manufacturers, distributors, importers and dealers.

Section 3. Section 4 of the act is reenacted and amended to read:

Section 4. License Required to Engage in the [Occupation] *Business* of Motor Vehicle Salesman, *Manufacturer or Dealer*.—In order to promote the public interest and public welfare from and after six months of the effective date of this act, it shall be unlawful for any person, except as hereinafter provided, to engage in the [occupation] *business* of motor vehicle salesman or motor vehicle dealer, manufacturer, factory branch, distributor, distributor branch, factory or distributor representative within this Commonwealth unless he has secured a license as required under the provisions of this act.

Section 4. Section 5 of the act, amended July 15, 1968 (P.L.347, No.170), is reenacted and amended to read:

Section 5. Powers and Duties of the State Board of Motor Vehicle *Manufacturers, Dealers and Salesmen*.—The board shall have power and its duty shall be:

(1) To provide for and regulate the licensing of motor vehicle salesmen *and motor vehicle dealers and manufacturers, factory branches, distributors, distributor branches, factory or distributor representatives* and to issue except as otherwise provided herein, a license to engage in the [**occupation of motor vehicle salesman**] *said businesses* to any applicant who meets the requirements of this act.

(2) To investigate on its own initiative or upon the verified complaint in writing of any person any allegations of the wrongful act or acts of any [**motor vehicle salesman**] *licensee or person required to be licensed hereunder* and shall have the power to suspend or revoke licenses issued by the board if after due notice and hearing the person charged is found guilty of committing or attempting to commit the following acts:

(i) Knowingly making any substantial misrepresentation of material facts;

(ii) Knowingly making any false promise of a character likely to influence, persuade or induce the sale of a motor vehicle;

(iii) [**Having**] *Being a motor vehicle dealer or salesman, having within three years prior to the application for or issuance of a license or while his current license is in force pleaded guilty, entered a plea of nolo contendere or been found guilty in a court of competent jurisdiction of this or any other state of forgery, embezzlement, obtaining money under false pretenses, extortion, conspiracy to defraud, bribery or any other crime involving moral turpitude;*

(iv) Having knowingly failed or refused to account for or to pay over moneys or other valuables belonging to others which have come into his possession arising out of the sale of motor vehicles;

(v) Having engaged in false, deceptive or misleading advertising of motor vehicles;

(vi) Having committed any act or engaged in conduct in connection with the sale of motor vehicles which clearly demonstrates incompetency;

(vii) Having made a material misstatement in application for license;

(viii) Having set up, promoted or aided in the promotion of a plan by which motor vehicles are sold to a person for a consideration and upon the further consideration that the purchaser agrees to secure one or more persons to participate in the plan by respectively making a similar purchase and in turn agreeing to secure one or more persons likewise to join in said plan, each purchaser being given the right to secure money, credits, goods or something of value, depending upon the number of persons joining in the plan;

(ix) Having engaged in the buying, selling, exchanging, trading or

otherwise dealing in new or used motor vehicles on Sunday in violation of section 7362 of Title 18 of the act of November 25, 1970 (P.L.707, No.230), known as the "Consolidated Pennsylvania Statutes."

(x) Being a motor vehicle dealer, having failed to have an "Established Place of Business" as defined in "The Vehicle Code."

(xi) Being a manufacturer, factory branch, distributor, field representative, officer, agent or any representative whatsoever of such motor vehicle manufacturer or factory branch, who has unfairly, without due regard to the equities of said dealer and without just provocation, cancelled the franchise of any motor vehicle dealer; or being a manufacturer, factory branch or importer, who unfairly, without due regard to the equities of a distributor and without just provocation cancelled the franchise of any distributor. All existing dealers' franchises shall continue in full force and operation under a newly appointed distributor on the termination of an existing distributor unless a mutual agreement of cancellation is filed with the board between the newly appointed distributor and such dealer.

Not less than sixty days advance notice of such termination, cancellation or failure to renew shall be given the dealer prior to the effective date thereof unless the nature or character of the reason for termination, cancellation or failure to renew is such that the giving of such notice would not be in the public interest. At any time before the effective date of such termination, cancellation or failure to renew, the dealer may appeal to the board for a hearing on the merits, and following due notice to all parties concerned, such hearing shall be promptly held. No such termination, cancellation or failure to renew shall become effective until final determination of the issue by the board. In the event of a dealer appeal, the burden of proof shall be on the manufacturer to show that such termination, cancellation or failure to renew was for good cause and in good faith.

(xii) Being a motor vehicle dealer having accepted an order of purchase or a contract from a buyer which offer of purchase or contract is subject to subsequent acceptance by the seller, if such arrangement results in the practice of bushing. For the purpose of this section, bushing is defined as the practice of increasing the selling price of a car above that originally quoted the purchaser or decreasing the allowance for trade-in of a used car after the purchaser has signed a purchase order or contract which is subject to subsequent acceptance by the seller: Provided, however, That if a used car is being used as the down payment and it is not to be delivered to the dealer until the delivery of the new car, the used car shall be reappraised at that time and such reappraisal value shall determine the allowance made for such used car.

(xiii) Being a manufacturer, factory branch, distributor, field representative, officer, agent or any representative whatsoever of such manufacturer or factory branch who, notwithstanding the terms,

provisions or conditions of any franchise agreement or other writing, prevents a dealer from changing executive management including the principal officer or operator of a dealer: Provided, however, That a change in the principal officer or operator of dealer shall be required to have the consent of the manufacturer, but such consent shall not be unreasonably withheld, and, upon request, the manufacturer shall state its reasons for refusing to give such consent. A dealer shall have the right to transfer, sell or issue shares of common or preferred stock of various classes or debentures to employes or personnel of the dealership as long as the basic financial requirements of the manufacturer are maintained and continued in effect and there is not as a result thereof in effect, a sale of the franchise without the manufacturer's or distributor's approval.

(xiv) Being a manufacturer, factory branch, distributor, field representative, officer, agent or any representative whatsoever of such manufacturer or factory branch.

(a) To induce under threat of discrimination by the withholding from delivery to dealer certain models of motor vehicles, changing or amending unilaterally the dealer's allotment of motor vehicles out of the ordinary course of business, in order to induce by such coercion any dealer to participate or contribute to any local or national advertising fund controlled directly or indirectly by the manufacturer or for any other purposes such as contests, "give aways" or other so-called sales promotional devices and/or change of quotas in any sales contest.

(b) Who fails, for the protection of the buying public, to specify the delivery and preparation obligations of his dealers prior to delivery of new motor vehicles to retail buyers. A copy of the delivery and preparation obligations of its dealers shall be filed with the board by every licensed motor vehicle manufacturer and shall constitute the dealer's only responsibility for product liability as between the dealer and the manufacturer. Any mechanical, body or parts defects arising from any express or implied warranties of the manufacturer shall constitute the manufacturer's product or warranty liability. The manufacturer shall reasonably compensate any authorized-dealer who performs work to rectify the manufacturer's product or warranty defects or in connection with delivery and preparation obligations.

(xv) Being a used car dealer as defined in "The Vehicle Code," who advertises or otherwise hold out to the public that such dealer is selling new motor vehicles.

(xvi) Being a used car dealer as defined in "The Vehicle Code," who sells motor vehicles which have never been registered or titled in Pennsylvania or any other state and on which a tax for education imposed by the "Tax Reform Code of 1971," has not been paid prior to such sale.

(3) To provide for, regulate and require all persons licensed in

accordance with the provisions of this act to register biennially with the board; to prescribe the form of such registration; to require as a condition precedent to such biennial registration the payment of biennial registration fees as shall be fixed by this act and to issue biennial licenses to such persons and suspend or revoke the license of such persons who fail, refuse, or neglect to register within such time as the board shall prescribe by its rules and regulations.

(4) To keep a roster showing the names and addresses of all **[motor vehicle salesmen] licensees** licensed under this act, which roster shall be confidential information, except for official purposes and any person unlawfully divulging such information shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not in excess of one thousand dollars (\$1000) and costs of prosecution, or to undergo imprisonment for not more than one year, or both.

(5) To keep minutes and records for all its transactions and proceedings, and copies thereof, duly certified, shall be received in evidence in all courts and elsewhere.

(6) To adopt, promulgate and enforce such administrative rules and regulations not inconsistent with this act as are deemed necessary and proper by the board to carry into effect the powers conferred by this act **[and to carry out the legislative intent of this act.] as set forth in section 2 thereof. The board shall promote the interests of retail buyers of motor vehicles relating to default, delinquency, repossession or collection charges and the refund of finance charges and insurance premiums on prepayment of installment contracts. The board shall have the power in hearings arising under this act to determine the place, in this Commonwealth, where they shall be held; to subpoena witnesses; to take depositions of witnesses residing without the State, in the manner provided for in civil actions in courts of record; and to administer oaths. Whenever a hearing shall be held for the board by an examiner, he shall report his findings in writing to the board, which shall thereupon make its rulings and orders.**

The provisions of this section shall not apply to anyone licensed previous to the effective date of this act and shall be applicable only to acts committed after the effective date of this act.

Section 5. Sections 6 and 7 of the act are reenacted and amended to read:

Section 6. Fees.—The fee for an applicant for licensure **[as a motor vehicle salesman in this Commonwealth shall be fifteen dollars (\$15) for the initial registration, and ten dollars (\$10) for each biennial renewal thereof] shall be:**

(1) For motor vehicle salesmen, fifteen dollars (\$15) for the initial registration, and ten dollars (\$10) for each biennial renewal thereof.

(2) For motor vehicle dealers, twenty-five dollars (\$25) for the initial registration, and fifteen dollars (\$15) for each biennial renewal

thereof. Each office or branch shall be separately licensed and shall pay the same fees. Each used car lot not immediately adjacent to the licensed premises shall be issued a supplemental license for which a biennial fee of ten dollars (\$10) shall be charged.

(3) For manufacturers, distributors or wholesalers, same as for dealers.

(4) For factory representative, or distributor branch representative, same as for salesmen.

(5) Manufacturers, wholesalers and distributors may operate as a motor vehicle dealer without any additional fee or license.

Section 7. Application for License.—*(a) Application for license as a motor vehicle dealer shall be made in writing to the board, signed by the applicant, setting forth the following:*

(1) Name of applicant and location of principal place of business.

(2) Name or style under which business is to be conducted and, if a corporation, the state of incorporation.

(3) Name and address of each owner or partner and, if a corporation, the names of principal officers and directors.

(4) The locations in which the business is to be conducted if the dealer has more than one place of business.

(5) If new motor vehicles are to be sold, the make or makes to be handled.

(6) A statement of the previous history, record, and association of the applicant and of each owner, partner, officer, and director, which statement shall be sufficient to establish to the satisfaction of the board the reputation in business of the applicant.

(7) A statement showing whether the applicant has previously applied for a license and the result of such application, and whether the applicant has ever been the holder of either a dealer's or salesman's license which was revoked or suspended.

(8) If the applicant is a corporation or copartnership, a statement showing whether any of the partners, employes, officers, or directors have been refused a dealer's or salesman's license or have been the holder of such license which was revoked or suspended.

(b) Application for license as a motor vehicle salesman shall be made in writing to the board, signed by the applicant, setting forth the period of time, if any, during which he has been engaged in the occupation of motor vehicle salesman, the name of his last employer and the name and place of business of the motor vehicle dealer or mobilehome dealer then employing him or into whose employ he is then about to enter. All applications shall be made upon a form of application prepared by the board which shall include the recommendation of his employer or prospective employer certifying that the applicant is honest, trustworthy, truthful and of good repute and recommending that a license be granted. In the case of an applicant who is himself a motor vehicle or mobilehome

dealer, an officer of a corporation which is a motor vehicle *or mobilehome* dealer, or a member of a partnership which is a motor vehicle *or mobilehome* dealer, the foregoing recommendation shall be made by another motor vehicle *or mobilehome* dealer, bank or sales finance company which has personal knowledge concerning the reputation and fitness of the applicant. The form of application shall contain such other information as the board shall require.

(c) Application for license other than as a motor vehicle dealer or salesman shall be made in writing to the board accompanied by the required fee. The board may require in such application or otherwise, information relating to the applicant's solvency, his financial standing or other pertinent matter commensurate with the safeguarding of the public interest, all of which may be considered by the board in determining the fitness of said applicant to engage in the business for which he desires to be licensed.

Section 6. Section 8 of the act, amended July 15, 1968 (P.L.347, No.170), is reenacted and amended to read:

Section 8. Registration.—All applicants *for a license as a salesman* shall be issued a license upon the recommendation provided for in section 7 of this act. Provided, however, that the board may refuse to issue such license if the applicant has committed any of the acts set forth in section 5 of this act as grounds for the suspension or revocation of a motor vehicle salesman's license *or manufacturer's license: And, provided further, That applicants for a motor vehicle dealer's license shall be issued a license if they are a new car dealer, or a used car dealer, as those terms are defined in section 102 of "The Vehicle Code" and are registered with the Bureau of Motor Vehicles in the "Dealer's Class" under section 409 of "The Vehicle Code."*

Section 7. Sections 9, 10, 11 and 12 of the act are reenacted and amended or reenacted to read:

Section 9. Change of License to Indicate New Employer.—A motor vehicle salesman shall be licensed as a salesman for only one motor vehicle dealer at any one time. If a person holding a currently valid motor vehicle salesman's license, desires to be licensed as a salesman of another employer, he shall make application to the board for the issuance of a new license showing the name of his proposed new employer. Such application shall be made on a form of application prescribed by the board and shall include the recommendation of his proposed new employer similar to the requirement of section 7 of this act. The new license shall be issued for the remainder of the period covered by his previous license. The fee for the issuance of such changed license shall be five dollars (\$5).

Section 10. Exemption from Licensure and Registration.—This act shall not be construed to require licensure and registration in the following cases:

(1) Public officers in the conduct of sales of motor vehicles in the performance of their official duties.

(2) Sales finance companies and banks licensed under the provisions of the act of June 28, 1947 (P.L.1110, No.476), known as the "Motor Vehicle Sales Finance Act" in the conduct of sales of motor vehicles which have been repossessed by them.

(3) Fleet owners, as defined in "The Vehicle Code" in the conduct of sales of motor vehicles owned by them and used in their business.

Section 11. Actions of the Board.—All actions of the board pursuant to this act which result in a refusal to issue a license or action which suspends or revokes a license shall be subject to the right of notice of hearing and adjudication and the right of appeal therefrom in accordance with the act of June 4, 1945 (P.L.1388, No.442), known as the "Administrative Agency Law."

Section 12. Penalties.—Whoever engages in the occupation of motor vehicle salesman *or in the business of a motor vehicle dealer, manufacturer, factory branch, distributor, distributor branch, factory or distributor representative* without being licensed and registered as required by this act or exempted therefrom as provided in this act, or shall present or attempt to use as his own the license of another or shall give any false or forged evidence of any kind to the board or to any member thereof in order to obtain a license, or shall use any expired, suspended or revoked license, or shall otherwise violate the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars (\$100) or undergo imprisonment for a period of not more than ninety days, or both, *in the case of a person engaging in the occupation of motor vehicle salesman without being licensed as such, and a fine not exceeding five hundred dollars (\$500) or undergo imprisonment for a period of not more than ninety days, or both, in the case of a person engaging in the business of motor vehicle dealer, manufacturer, factory branch, distributor, distributor branch, factory or distributor representative without being licensed as such.*

Section 8. The act is amended by adding a section to read:

Section 12.1. Civil Damages.—Any licensee suffering pecuniary loss because of a violation by any other licensee of subclauses (xi) and (xiii) of clause (2) of section 5 or because of any unfair practice found by the board may recover damages therefor in any court of competent jurisdiction in an amount equal to the pecuniary loss together with costs including a reasonable attorney's fee.

Section 9. Section 13 of the act is reenacted and amended to read:

Section 13. Appropriation.—All fees *and fines* collected under the provisions of this act [during the fiscal year beginning July 1, 1965 are hereby specifically appropriated to the Department of State for the use of the board in carrying out the provisions of this act] *shall be paid into the State Treasury for the use of the Commonwealth.*

Section 10. Sections 14, 15 and 16 of the act are reenacted to read:

Section 14. Saving Provision.—This act shall not be deemed to repeal, suspend, modify or revoke any of the provisions of “The Vehicle Code” or the “Motor Vehicle Sales Finance Act.”

Section 15. Severability.—The provisions of this act are severable and, if any provision or part hereof shall be held invalid or unconstitutional or inapplicable to any person or circumstances, such invalidity, unconstitutionality or inapplicability shall not affect or impair the remaining provisions of the act. It is hereby declared to be the legislative intent that this act would have been adopted if such invalid, unconstitutional or inapplicable provisions had not been included therein.

Section 16. Effective Date.—This act shall take effect immediately.

Section 11. This act shall take effect immediately.

APPROVED—The 21st day of December, A. D. 1973.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 144.

A handwritten signature in black ink, reading "C. DeLoe Tucker". The signature is written in a cursive, flowing style.

Secretary of the Commonwealth